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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,984	11/01/2001	Eizo Suto	2803.65965	3449

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EXAMINER

TRAN, PHILIP B

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/002,984

Applicant(s)

SUTO, EIZO

Examiner

Philip B. Tran

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/01/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kazumitsu, Japanese Patent Publication. No. 08-063418 in view of DeSimone et al (Hereafter, DeSimone), European Pat. Application No. EP 0837407A1.

Regarding claim 1, Kazumitsu teaches a communication traffic control system on a LAN of a CSMA/CD type having servers and clients connected thereto [see Abstract on Page 1 and Fig. 1 on Page 22], comprising:

reception means (= HWc and BCP1c) for enabling other client to receive a transmission request and an object corresponding to said transmission request when one client generates said transmission request of said object to a server and receives said object corresponding to said transmission request from said server (= requesting service from clients and broadcasting data from the server to clients) [see Paragraph [0015] on Page 16];

a storage unit disposed inside said one client, for storing said transmission request and said object corresponding to said transmission request (= storing data in the memory) [see Paragraph [0017] on Page 16]; and

judgment means for judging whether or not said object corresponding to said transmission request is stored in said storage unit when said one client generates said transmission request to said server (= judging whether or not the data are received) [see Paragraph [0019] on Page 17].

Kazumitsu does not explicitly teach object acquisition means for directly acquiring said object corresponding to said transmission request from said storage unit without passing through said LAN when the judgment result of said judgment means is positive, and acquiring said object corresponding to said transmission request from said server through said LAN when the judgment result of said judgment means is negative. However, DeSimone, in the same field of client-server communication endeavor, discloses clients can either obtain data from cache or from the server [see Fig. 1 and Abstract]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of DeSimone into the teaching of Kazumitsu in order to acquire data locally if available from the local storage without obtaining data from the server by passing through the LAN and thus reducing the total network traffic.

Regarding claim 2, Kazumitsu further teaches a traffic control system on a LAN according to claim 1, wherein said object stored in said storage unit is of a predetermined kind set in advance [see Paragraph [0017] on Page 16].

Regarding claim 3, Kazumitsu further teaches a traffic control system on a LAN according to claim 1, wherein said object stored in said storage unit is an object corresponding to a transmission request generated from a client having an IP address set in advance [see Paragraph [0038] on Page 20].

Regarding claim 4, Kazumitsu does not explicitly teach a traffic control system on a LAN according to any of claims 1 through 3, wherein said object stored in said storage unit is appropriately updated. However, DeSimon, in the same field of client-server communication endeavor, discloses update object periodically [see Page 4]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of DeSimone into the teaching of Kazumitsu in order to dynamically update the data in the storage and keep the most current and useful data while deleting the stale data.

Regarding claim 5, Kazumitsu further teaches a traffic control system on a LAN according to any of claims 1 through 3, wherein said storage unit stores said transmission request of said object that said one client generates to said server and said object corresponding to said transmission request [see Paragraph [0017] on Page 16].

Claims 6-8 are rejected under the same rationale set forth above to claims 1-3, respectively.

Claim 9 is rejected under the same rationale set forth above to claim 4.

Claim 10 is rejected under the same rationale set forth above to claim 5.

Claim 11 is rejected under the same rationale set forth above to claim 1.

Other References Cited

3. The following references cited by the examiner but not relied upon are considered pertinent to applicant's disclosure.

A) Kuba, U.S. Pat. No. 5,483,533.

B) Bhide et al, U.S. Pat. No. 5,852,717.

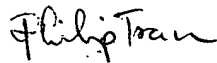
C) Ebata et al, U.S. Pat. No. 6,513,061.

D) Ali et al, U.S. Pat. No. 5,940,594.

4. A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION. FAILURE TO RESPOND WITHIN THE PERIOD FOR RESPONSE WILL CAUSE THE APPLICATION TO BECOME ABANDONED (35 U.S.C. § 133). EXTENSIONS OF TIME MAY BE OBTAINED UNDER THE PROVISIONS OF 37 CAR 1.136(A).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (571) 272-3991. The Group fax phone number is (703) 872-9306. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne, can be reached on (571) 272-4001.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Philip B. Tran
Art Unit 2155
May 13, 2005